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It is also the means by which any disturbance of equilibrium is set right. For this reason most legal disputes concern claims for cattle as indemnities for recognised wrongs—homicide, bodily injuries, defamation of character, adultery, and seduction. Otherwise they concern claims for cattle as part of a system of rights accorded to the individual as a member of a kinship group or acquired by marriage. It is these wrongs and indemnities, these rights and claims, which we must now examine in detail.

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583 the bridegroom. The question arises whether or not he will meet this particular claim. If pressed he will probably do so because the bride's family might terminate the negotiations, though this is unlikely to happen over so remote a claim as the cow of the age-mate. In the second place the bride's father is concerned with his age-mate, and here there is an element of reciprocal exchange.¹ A cow is not given to all age-mates of the bride's father, only to one who has a particularly close connexion with him and has probably undergone with him the ritual processes of initiation which impart a mystical association analogous to kinship. We see therefore that the custom is a complicated one involving two separate transactions and subject to different sanctions. If a dispute over this payment reached a Nuer court, payment would in most instances be enforced. When there are sufficient precedents to constitute a consistent application of a custom of this sort, we should be justified in speaking of the claim as a legal and enforceable right.

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791 Again, certain categories of magical experts are entitled to a fee for their services. Such claims often appear before the courts. The court will consider the circumstances, estimate whether the alleged benefits have been received or not, and if necessary order the client to pay the fee. The transaction is in the nature of a contract which is now enforceable in law. In the past the sanctions were retaliatory, though in this particular instance forceful retaliation would be unlikely since more commonly the magician's supernatural powers, which might be used against his client, would be feared.

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673 Compensation for wrongs, recognized in tradition, expressed in traditional scales, and originally a basis for compromise, is now enforced in the Courts. Adultery, for example, is a recognized wrong and one which should be rectified by the payment of a suitable indemnity. Whether or not this was paid in the past depended again on the sanctions prevailing, but nowadays the wrongdoer will in the final event be compelled to pay. This applies to other legal wrongs, such as the seduction or impregnation of unmarried girls, and theft or damage of property.

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177 Among the Nuer there is a vast field of custom and convention which is now supported by legal sanctions and thus becomes the law. Moreover this transformation of custom into law is being carried to extremes among the Nuer, for there is an increasing tendency to treat all social customs and conventions as enforceable laws.

Throughout this discussion of Nuer customary law we have sometimes been speaking of the present, sometimes of the past. Under the influence of modern administration systems of social control are

¹ The age-mate will receive the cow if the bride's father has received a like privilege on the marriage of the age-mate's daughter or has the expectation of doing so. See p. 110 and n. 3.